

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

CURTIS ANDERSON

PLAINTIFF

V.

CASE NO. 4:05CV146

MISSISSIPPI DEPARTMENT OF HEALTH

DEFENDANT

ORDER

This cause comes before the Court on the defendant's motion [12] to dismiss. A Report and Recommendation [21] has been issued from the United States Magistrate Judge which recommends that the motion to dismiss with respect to the plaintiff's Title VII claims be DENIED and that the plaintiff be granted additional time in which to properly serve the complaint. No objection has been filed. Upon review, this Court finds the Report and Recommendation well reasoned and hereby adopts its recommendations.

ACCORDINGLY, the court finds that the defendant's motion to dismiss is DENIED. The plaintiff has thirty (30) days from the issuance of this order in which to properly serve the complaint on the Mississippi Department of Health.

This the 13th day of September, 2006.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE